

IN RE: PETITION FOR ZONING VARIANCE
NE Corner Reisterstown Road
and Kingsley Road
(11275 Reisterstown Road)
4th Election District
3rd Councilmanic District
Leonard Stoler
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 93-80-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Zoning Variance filed by the Legal Owner of the subject property, Leonard Stoler, by and through his attorney, Marvin I. Singer, Esquire. The Petitioner requests variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: a) From Section 413.2.f to permit six (6) freestanding signs in lieu of the five (5) previously granted in Case Nos. 84-10-A and 86-169-A, and to permit the size of said signs in the aggregate to be 781 sq.ft. in lieu of the 600 sq.ft. granted; and b) from Section 413.5.d to permit a sign height of 30 feet in lieu of the maximum permitted 25 feet, for a proposed Nissan sign as more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petitioner were Marvin I. Singer, Esquire and Douglas L. Kennedy, Registered Professional Engineer. Appearing as Protestants in the matter were Charles Stewart, and Dennis and Carolyn Orr, nearby residents of the area. Appearing as an interested party was Baxter Smith with the Community Times newspaper.

Testimony indicated that the subject property, known as 11275 Reisterstown Road, consists of 0.3704 acres, more or less, zoned BR and is the site of the Len Stoler Ford, Porsche, Audi, and Chrysler-Plymouth automobile dealerships. Said property was the subject matter of previous

Case Nos. 84-10-A and 86-169-A in which variances for the existing signage were granted. The Petitioner is desirous of expanding his current operation to include a Nissan Dealership. Testimony indicated the Petitioner purchased a Nissan dealership, currently located in Carroll County, which he intends to relocate to the subject site. Pursuant to the franchise agreement with Nissan, the Petitioner is required to erect a Nissan sign on the subject property. Testimony indicated that the size and height of the proposed sign are pre-determined in that the sign to be utilized is the same sign that existed at the dealership's location in Carroll County. Testimony revealed that neither the sign nor its height can be altered as it is a one-piece construction.

Appearing and testifying in opposition to the Petitioner's request were Dennis and Carolyn Orr and Charles Stewart, nearby residents of the area. The Protestants object to the size and height of the proposed sign and would like to see all of the signs on the subject property consolidated to eliminate the clutter that currently exists on this site. The Protestants testified that they do not want to see Reisterstown Road become so overcrowded with signs so as to take on the appearance of Ritchie Highway. In addition, the Protestants stated that the lighting on the Petitioner's parking lot reflects into their residential neighborhood and onto their properties.

It has become obvious to this Deputy Zoning Commissioner that due to the current economic climate in Baltimore County and in the Country as a whole, automobile dealerships are finding it necessary to consolidate dealerships at one location in order to reduce overhead and maximize profits. This is not only true of this particular dealership, but others as well. All dealers are required, pursuant to their franchise agreements,

to erect a sign advertising the name of the dealership at their respective locations. Therefore, the Petitioner must erect the subject sign on this property and as a result of its size and height, the requested variances are necessary.

There may be a time when the Petitioner seeks to relocate one of the dealerships presently operating from the subject site to another location. In the event any of the dealerships leave this location, be it the Porsche, Audi, Ford, Chrysler-Plymouth, or Nissan, the Petitioner shall be required to remove the sign identifying that particular dealership and will not be permitted to replace that sign with any other signage.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 17th day of November, 1992 that the Petition for Zoning Variance requesting relief from Section 413.2.f of the B.C.Z.R. to permit six (6) freestanding signs of 781 sq.ft. total in lieu of the 600 sq.ft. permitted in prior Case Nos. 84-10-A and 86-169-A, and from Section 413.5.d of the B.C.Z.R. to permit a sign height of 30 feet in lieu of the maximum permitted 25 feet, for a proposed Nissan sign in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioner may apply for his sign permit and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

- 2) The relief granted herein is limited to six (6) freestanding signs of 781 sq.ft. total. In the event any of the dealerships leave the subject location, be it Porsche, Audi, Ford, Chrysler-Plymouth, or Nissan, the Petitioner shall be required to remove the sign which identifies that particular dealership and will not be permitted to replace that sign with any other signage.
- 3) Within sixty (60) days of the date of this Order, the Petitioner shall submit a landscape plan for approval by the Deputy Director of Planning and the Landscape Planner for Baltimore County. A copy of the approved plan shall be submitted to this Office for review and inclusion in the case file.
- 4) Streetscape shall be provided along all corridors. Landscaping is required to be in compliance with any community or corridor plan. The Office of Planning and Zoning may recommend a landscape treatment which may exceed the requirements set forth in the Baltimore County Landscape Manual. Any planting within the right-of-way shall be maintained by the property owner.
- 5) Automobiles shall be displayed only at ground level and on impervious surfaces. No automobile shall encroach into a right-of-way or cause a visual obstruction to vehicles entering and exiting the property or impede pedestrian traffic.
- 6) All lighting on the subject site shall be arranged so as not to reflect onto residential property.
- 7) The use of outdoor paging systems shall be limited to the hours of 9:00 AM to 5:00 PM on weekdays.
- 8) The use of banners, temporary signs and/or streamers shall not be permitted. The Petitioner is also prohibited from displaying inflatable blimps, outdoor balloons, inflatable mylar animals or other similar objects.
- 9) No sign shall project above the roof.
- 10) When applying for any permits, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

November 17, 1992

(410) 887-4386

Marvin I. Singer, Esquire
343 N. Charles Street
Baltimore, Maryland 21201-4361

RE: PETITION FOR ZONING VARIANCE
NE Corner Reisterstown Road and Kingsley Road
(11275 Reisterstown Road)
4th Election District - 3rd Councilmanic District
Leonard Stoler - Petitioner
Case No. 93-80-A

Dear Mr. Singer:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3351.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. Dennis Orr
28 Kingsley Road, Owings Mills, Md. 21117

Mr. Charles Stewart
12605 Mt. Laurel Court, Reisterstown, Md. 21136

Mr. Baxter Smith
Community Times, P.O. Box 346, Westminster, Md. 21157

People's Counsel
TMK



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 11275 Reisterstown Road
which is presently zoned BR

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

SEE ATTACHED ADDENDUM

SEE ATTACHED ADDENDUM

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessor:

(Type or Print Name)

Signature

Address

City

State

Zip

Agency for Petitioner:

(Type or Print Name)

Signature

Address

City

State

Zip

When do you currently reside and affirm, under the penalties of perjury, that you are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s)

Leonard Stoler

(Type or Print Name)

Signature

(Type or Print Name)

Signature

11275 Reisterstown Rd. (410) 356-7000

Address

Owings Mills, Maryland 21117

City

State

Zip

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

Marvin I. Singer

Address

343 N. Charles St. (410) 727-4700

City

State

Zip

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

9-6-92

On following date

Best Two Months

ALL OTHER

REVIEWED BY: *Reg* DATE: *8/21/92*

ADDENDUM TO PETITION FOR ZONING VARIANCE

Variances are requested from the following sections of the Baltimore County Zoning Regulations:

- 1) Section 413.2.f. - To permit 6 free-standing signs in lieu of the five granted signs as presently allowed, (see cases 84-10-A and 86-169); and to permit the size of such signs in the aggregate to be 781 square feet in lieu of the 600 square feet now permitted (cases 84-10-A and 86-169).
- 2) Section 413.5.d. - To allow a sign height of 30 feet in lieu of the maximum of 25 feet.

The variances are required in order to permit erection of a standardized sign in the format required by the manufacturer, of a type that may be readily seen and identifiable, giving due consideration to the topography of the site and Reisterstown Road. Such variances are required in order to afford relief from hardship and practical difficulty. A brand identification sign is required by applicable State regulations; the absence of which precludes the sale of the identified make of automobile from the subject premises.

HOOPER, KIEFER
& CORNELL
BALTIMORE, MD 21201

KCW Consultants, Inc.
Civil Engineers and Land Surveyors
3104 Timanus Lane
Suite 101
Woodlawn, Maryland 21207
(410) 281-0030 / 281-0033
Fax (410) 298-0604

Douglas L. Kennedy, P.E.

80

93-80-A

August 14, 1992

**ZONING DESCRIPTION OF PROPERTIES OF
LEN STOLER & KINGSLEY ROAD LIMITED PARTNERSHIP**

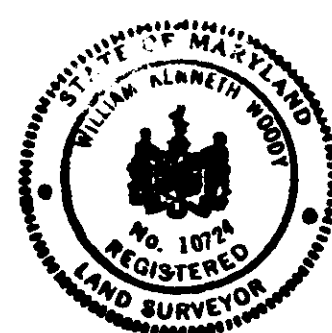
4th Election District
Baltimore County, Maryland

BEGINNING at a point on the northeast corner of Reisterstown Road, 66 feet wide, and Kingsley Road, ultimate 52.5 feet width, thence bounding on the northeast side of Reisterstown Road;

1. North 44 degrees 07 minutes 20 seconds West 537.99 feet, thence leaving northeast side of Reisterstown Road and running the following courses and distances;
2. North 46 degrees 21 minutes 10 seconds East 30.00 feet, thence;
3. South 44 degrees 07 minutes East 537.52 feet to the northwest side of Kingsley Road, thence binding on said road;
4. South 45 degrees 27 minutes 15 seconds West 30.00 feet to the place of beginning.

Containing 16133 square feet or 0.3704 acres of land, more or less.

Being known as No. 11275 Reisterstown Road and located in the Fourth Election District, Baltimore County, Maryland.



CERTIFICATE OF POSTING
SECOND DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 4th Date of Posting: 8/21/92
Posted for: Leonard Stoler
Petitioner: Leonard Stoler
Location of property: NE Corner Reisterstown Rd & Kingsley Rd
11275 Reisterstown Rd
Location of Sign: Property to be zoned
Remarks: Property to be zoned
Posted by: Michael Date of return: 8/21/92
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. 8/21, 1992

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/21, 1992

THE JEFFERSONIAN,

S. Zake Orlan

Publisher

62.62

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

93-80-A

Date PAID PER HAND WRITTEN RECEIPT DATED 8/21/92

Account: R-001-6150
Number

8/31/92

H9300080

PUBLIC HEARING FEES QTY PRICE
020 -ZONING VARIANCE (OTHER) 1 X \$250.00
TOTAL: \$250.00
LAST NAME OF OWNER: LEN STOLER

Cashier Validation

Please Make Checks Payable To: Baltimore County

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Date 8/21/92

Account: R-001-6150
Number

Leonard Stoler
ATTN: Michael Stoler
11275 Reisterstown Rd
CD 1.5
ED 1.4
Commercial U. 250.00

Cashier Validation

Please Make Checks Payable To: Baltimore County

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

DATE: _____

Leonard Stoler
11275 Reisterstown Road
Owings Mills, Maryland 21117

RE:
CASE NUMBER: 93-80-A (Item 80)
NEC Reisterstown and Kingsley Roads
11275 Reisterstown Road
4th Election District - 3rd Councilmanic
Petitioner(s): Leonard Stoler
HEARING: WEDNESDAY, OCTOBER 14, 1992 at 9:00 a.m. in Rm. 118, Old Courthouse.

Dear Petitioner(s):

Please be advised that \$ _____ is due for advertising and posting of the above captioned property and hearing date.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your Order, immediate attention to this matter is suggested.

Carl J. Jahn

ARNOLD JAHN
DIRECTOR

cc: Marvin I. Singer, Esq.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

SEPTEMBER 14, 1992

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-80-A (Item 80)
NEC Reisterstown and Kingsley Roads
11275 Reisterstown Road
4th Election District - 3rd Councilmanic
Petitioner(s): Leonard Stoler
HEARING: WEDNESDAY, OCTOBER 14, 1992 at 9:00 a.m. in Rm. 118, Old Courthouse.

Variance to permit 6 free-standing signs in lieu of the five permitted signs as presently allowed (cases 894-10-3 and 896-169); to permit the area of such signs to be 781 square feet in lieu of the 600 square feet now permitted (cases 894-10-3 and 896-169); and to allow a sign height of 30 feet in lieu of the maximum of 25 feet.

Lawrence E. Schmidt

Zoning Commissioner of
Baltimore County

cc: Leonard Stoler
Marvin I. Singer, Esq.

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

111 West Chesapeake Avenue
Towson, MD 21204

October 6, 1992

(410) 887-3353

Marvin I. Singer, Esquire
343 N. Charles Street
Baltimore, MD 21201-4361

RE: Item No. 80, Case No. 93-80-A
Petitioner: Leonard Stoler, et al
Petition for Variance

Dear Mr. Singer:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this
21st day of August, 1992

Arnold Jahn
ARNOLD JAHN
DIRECTOR

Received By:
W. Carl Richard Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Leonard Stoler, et al
Petitioner's Attorney: Marvin I. Singer

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Division

RE: Zoning Advisory Committee Meeting
for September 14, 1992

The Developers Engineering Division has reviewed the proposed zoning case. If the variance is granted, we will require a parking lot landscape plan and a street lighting plan. Also, require a street lighting plan for the adjacent Lexus Dealership. The proposed variance for Lexus was based on the condition of the Champion White Oak Tree that has been removed.

END PAGE

93-80-A OCT. 14

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

DATE: September 22, 1992

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Len Stoler - 11275 Reisterstown Road

INFORMATION:
Item Number: 80

Petitioner: Leonard Stoler

Property Size: 0.3704 acres

Zoning: BR

Requested Action: Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

This petitioner is seeking a variance to permit 6 free standing signs in lieu of 5 granted signs presently allowed, to permit the size of such signs in the aggregate to be 781 square feet in lieu of the 600 square feet now permitted and to allow a sign height of 30 feet in lieu of the maximum of 25 feet.

The Office of Planning and Zoning recommends DENIAL of the petitioner's request.

As the site plan demonstrates, this site already has five oversized signs allowed by two previous zoning cases. This variance would allow for a sixth oversized sign. Under current zoning regulations, this site would be allowed a total of three business signs. Automobile dealership signs are generally oversized, in order to attract automotive clientele. Signs with dimensions allowed by the Zoning Regulations are sufficient. In this particular case, six oversized signs are excessive. The Office of Planning and Zoning recommends that the petitioner submit a landscape plan for approval by the Baltimore County Landscape Architect. The petitioner was given credit for a Champion Oak Tree on the "Lexus" site, as part of the landscape plan approval. However, a storm knocked the tree down and consequently no street trees are provided along Reisterstown Road. Our office feels that street trees are an integral part of sites along Reisterstown Road and street trees should be provided on this site as a visual enhancement. The Office of Planning and Zoning and the County's Landscape Architect would be willing to work with the petitioner on the details.

Prepared by: Francis Morrey

Division Chief: *Francis Morrey*

PK/EMCD/FM:rdn

80.ZAC/ZAC1

RECEIVED
OCT 5 1992

ZONING OFFICE

DPW/Traffic Engineering
Development Review Committee Response Form
Authorized signature _____ Date _____

09/14/92

Project Name
File Number Waiver Number Zoning Issue Meeting Date
Stonegate at Patapsco (Azeal Property)
90476
ZON DED TE (Waiting for developer to submit plans first) 6-1-92

COUNT 1

✓ Golden Ring Mall Company Limited Partnership 60 9/8/92
DED DEPRM RP STP TE N/C
✓ John Dietsch 61 N/C
DED DEPRM RP STP TE
✓ Happy Hollow Associates 75 N/C
DED DEPRM STP RP TE
✓ Stephen M. and Diane A. Dansicker 76 N/C
DED DEPRM RP STP TE
✓ Edward L. and Francine M. Wickman 77 N/C
DED DEPRM RP STP TE
✓ Charles W. Berg And Willie D. Graves 78 N/C
DED DEPRM RP STP TE
✓ Daniel W. and Evelyn J. Eckert 79 N/C
DED DEPRM RP STP TE
✓ Leonard Stoler 80 N/C
DED DEPRM RP STP TE
✓ Edward and Ceola Wright 81 N/C
DED DEPRM RP STP TE
✓ Edward K. and Diana J. Hensler 82 N/C
DED DEPRM RP STP TE
✓ Marvin and Hild Zentner and Amir Aviram 83 W/C

Department of Environmental Protection & Resource Management
Development Review Committee Response Form
Authorized signature _____ Date 9-15-92

Project Name
File Number Waiver Number Zoning Issue Meeting Date

John Dietsch 61 9/8/92
DED DEPRM RP STP TE
Happy Hollow Associates 75
DED DEPRM STP RP TE
✓ Stephen M. and Diane A. Dansicker 76
DED DEPRM RP STP TE
Edward L. and Francine M. Wickman 77
DED DEPRM RP STP TE
Charles W. Berg And Willie D. Graves 78
DED DEPRM RP STP TE
Daniel W. and Evelyn J. Eckert 79
DED DEPRM RP STP TE
✓ Leonard Stoler 80
DED DEPRM RP STP TE
✓ Edward and Ceola Wright 81
DED DEPRM RP STP TE
✓ Edward K. and Diana J. Hensler 82
DED DEPRM RP STP TE
Marvin and Hild Zentner and Amir Aviram 83
DED DEPRM RP STP TE

COUNT 11

FINAL TOTALS
COUNT 32

*** END OF REPORT ***

700 East Joppa Road Suite 901
Towson, MD 21204-5500

SEPTEMBER 9, 1992

(410) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: LEONARD STOLER

Location: #11275 REISTERSTOWN ROAD - LEN STOLER NISSAN

Item No. + 80 (RT) Zoning Agenda: SEPTEMBER 8, 1992

Gentlemen:
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Carl Jerry Rife*
Planning Group
Special Inspection Division

JP/KEK

RECEIVED
SEP 10 1992
ZONING OFFICE

Development Review Committee Response Form
Authorized signature _____ Date 9/14/92

Project Name
File Number Waiver Number Zoning Issue Meeting Date

✓ Golden Ring Mall Company Limited Partnership 60 9/8/92
DED DEPRM RP STP TE No Comment
✓ John Dietsch 61 No Comment
DED DEPRM RP STP TE
✓ Happy Hollow Associates 75 No Comment
DED DEPRM STP RP TE
✓ Stephen M. and Diane A. Dansicker 76 No Comment
DED DEPRM RP STP TE
✓ Edward L. and Francine M. Wickman 77 No Comment
DED DEPRM RP STP TE
✓ Charles W. Berg And Willie D. Graves 78 No Comment
DED DEPRM RP STP TE
✓ Daniel W. and Evelyn J. Eckert 79 No Comment
DED DEPRM RP STP TE
✓ Leonard Stoler 80 No Comment
DED DEPRM RP STP TE
✓ Edward and Ceola Wright 81 No Comment
DED DEPRM RP STP TE
✓ Edward K. and Diana J. Hensler 82 No Comment
DED DEPRM RP STP TE
✓ Marvin and Hild Zentner and Amir Aviram 83 No Comment
DED DEPRM RP STP TE

COUNT 11

LAW OFFICES
HOOPER, KIEFER & CORNELL

RICHARD W. KIEFER
F. DUNCAN CORNELL
MARVIN I. SINGER
JAN R. HENSEL
DOROTHY M. BEAMAN

343 NORTH CHARLES STREET
BALTIMORE, MARYLAND 21201-4361
(410) 727-4700
FAX: (410) 625-4709

TOWSON OFFICE
408 W. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-4292
(410) 823-3010
ARTHUR J. HOOPER
(410) 823-1876

93-80-A
August 21, 1992

Mr. Greg Tanguilig
Planner
Zoning Office
111 West Chesapeake
Room # 109
Towson, Maryland 21204

Re: Len Stoler
Petition for Variance
11275 Reisterstown Road

Dear Mr. Tanguilig:

In accordance with our telephone conversation this week, I enclose three copies of the Petition for Variance regarding the above mentioned property, our check in the amount of \$250.00, and the required documents prepared by KCM Consultants, as listed on their letter of transmittal attached hereto.

I believe this now conforms in every respect with the revisions suggested by you at our meetings. Please schedule a hearing in the matter as promptly as possible.

Thank you for your kind cooperation.

Sincerely,

Marvin I. Singer
Marvin I. Singer

MIS/MS
Enclosures
VIA MESSENGER

RECEIVED
AUG 21 1992
ZONING OFFICE

LAW OFFICES
HOOPER, KIEFER & CORNELL

343 NORTH CHARLES STREET
BALTIMORE, MARYLAND 21201-4361
(410) 727-4700
FAX: (410) 625-4709

October 21, 1992

Mr. Timothy M. Kotroco
Deputy Zoning Commissioner
Zoning Commissioner's Office
113 The Courthouse
400 Washington Avenue
Towson, Maryland 21204

Re: Case No.: 93-80-A (Item 80)
NEC Reisterstown Road and Kingsley Roads
11275 Reisterstown Road
4th Election District - 3rd Councilmanic
Petitioner: Leonard Stoler

Dear Mr. Kotroco:

In accordance with your request, I enclose copies of excerpts from the standard Nissan Dealership Agreement as well as a portion of the provisions from the Sign Systems standards. Should you require additional information, or in the event you would prefer to have the complete documents, please advise me.

Sincerely,

Marvin I. Singer
Marvin I. Singer

MIS/MS
Enclosures

RECEIVED
22 1992
ZONING COMMISSIONER

RICHARD W. KIEFER
F. DUNCAN CORNELL
MARVIN I. SINGER
IRA A. HUNTER
DOROTHY W. REAGAN
MICHAEL W. HANSEN

LAW OFFICES
HOOPER, KIEFER & CORNELL
343 NORTH CHARLES STREET
BALTIMORE, MARYLAND 21201-4351
(410) 727-4700
FAX (410) 625-4709

December 27, 1993

Mr. Arnold Jablon
Zoning Commission
Office of Planning and Zoning
Suite 113 Courthouse
400 Washington Avenue
Towson, Maryland 21204

Re: Len Stoler, Inc.
NE/Corner Reisterstown Road and Kingsley Road
11275 Reisterstown Road
4th Election District-3rd Councilmanic District

Dear Mr. Jablon:

I enclose a plat dated August 7, 1992 depicting the several signs located at the Len Stoler dealerships on Reisterstown Road in Owings Mills. This site has been the subject of previous cases involving variances concerning the size, height and location of signs, the most recent of which was Case No.: 93-80-A with respect to the Nissan sign.

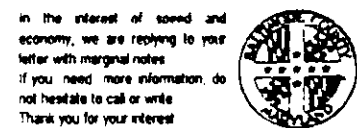
My purpose in writing to you at this time is to request the relocation of two of the signs, without any change in their size, height or design. The desire is to locate the Chrysler sign to where the Porsche/Audi sign presently stands, and to move the latter to the present Chrysler site. I have indicated by red arrows on the enclosed plat the requested exchange of locations.

The underlying purpose of this change is to have the respective signs located more closely to the dealerships involved. Thank you for your consideration in this matter.

Sincerely,

Marvin I. Singer

Speed
Letter



The red lined plan received with this letter is approved as being within the spirit and intent of the Zoning Commission's order in zoning case 93-80-A and remains subject to the restrictions as listed in said case.

JOHN L. LEWIS, PLANNER II

NISSAN

NISSAN DEALER SALES AND SERVICE AGREEMENT

STANDARD PROVISIONS

NISSAN DIVISION
NISSAN MOTOR CORPORATION IN U.S.A.

Form # NDA-459-88

Section 2. Dealership Location and Dealership Facilities

A. Location and Facilities.

Dealer shall provide, at the Dealership Location approved by Seller in accordance with Section 2.B hereof, Dealership Facilities that will enable Dealer to effectively perform its responsibilities under this Agreement and which are reasonably equivalent to those maintained by Dealer's principal competitors in the geographic area in which Dealer's Primary Market Area is located. In addition, the Dealership Facilities shall be maintained in accordance with the standards established by the Guides.

Dealer shall conduct its Dealership Operations only from the Dealership Location specified in the Dealership Facilities Addendum. If the Dealership Location is comprised of more than one place of business, Dealer shall use each such place of business only for the purposes specified therefor in the current Dealership Facilities Addendum.

B. Dealership Facilities Addendum.

Dealer and Seller will execute a Dealership Facilities Addendum which will include a description of the Dealership Location and the Dealership Facilities, the approved use for each such place of business and facility, and the current Guides therefor.

C. Changes and Additions.

Dealer shall not move, relocate, or change the usage of the Dealership Location or any of the Dealership Facilities, or substantially modify any of the Dealership Facilities, nor shall Dealer or any person named in the Final Article of this Agreement directly or indirectly establish or operate any other locations or facilities for the sale or servicing of Nissan Products or for the conduct of any

other of the Dealership Operations contemplated by this Agreement, without the prior written consent of Seller. Any changes in the Dealership Location or the Dealership Facilities that may be agreed to by Seller and Dealer shall be reflected in a new, superseding Dealership Facilities Addendum executed by Seller and Dealer.

D. Assistance Provided by Seller.

To assist Dealer in planning, establishing and maintaining the Dealership Facilities, Seller, at the request of Dealer, will from time to time make its representatives available to Dealer to provide standard building layout plans, facility planning recommendations, and counsel and advice concerning location and facility planning.

E. Evaluation of Dealership Facilities and Location.

Seller will periodically evaluate Dealer's performance of its responsibilities under this Section 2. In making such evaluations, Seller will give consideration to: the actual land and building space provided by Dealer for the performance of its responsibilities under this Agreement; the current Guides established by Seller for the Dealership Facilities; the appearance, condition and layout of the Dealership Facilities; the location of the Dealership Facilities relative to the sales opportunities and service requirements of the Primary Market Area; equivalence with facilities maintained by Dealer's principal competitors; and such other factors, if any, as may directly relate to Dealer's performance of its responsibilities under this Section 2. Evaluations prepared pursuant to this Section 2.E will be discussed with and provided to Dealer, and Dealer shall have an opportunity to comment, in writing, on such evaluations, and Seller will consider Dealer's comments. Dealer shall promptly take such action as may be required to correct any deficiencies in Dealer's performance of its responsibilities under this Section 2.

NISSAN

Sign System D4

NISSAN MOTOR CORPORATION IN U.S.A.

Dealership Signage

Brand Signs The brand sign functions as the main dealership identifier. It represents an endorsement of quality for Nissan products. The four different main brand sign structures are demonstrated on these two pages: the pylon, monument, flush-wall and vertical flag. In addition, the flush-wall sign can be adapted for use as a roof-mounted sign. One of these types of signs will serve as the main sign to identify each dealership. All signs carry the promotional mark, are internally illuminated and available in a variety of sizes.

The pylon sign is the preferred sign for primary dealership identification. Because of its distinctive design it isolates itself visually from competitive identities and has the greatest range of long-distance viewing. The two-sided sign face, displaying the promotional mark, is mounted on a column of polished stainless steel.

Pylon



Monument



D4/4

KCW CONSULTANTS, INC.
Civil Engineers & Land Surveyors
3104 Timanus Lane, Suite 101
Woodlawn, Maryland 21207
281-0030 281-0033

LETTER OF TRANSMITTAL

TO: OFFICE OF ZONING
1ST FLOOR
111 W. CHESAPEAKE AVE

DATE: 8/14/92 FOR: 8825
ATTENTION: REG. TANGULIG
RE: LEN STOLER SIGN
VARIANCE

WE ARE SENDING YOU ☐ Attached ☐ Under separate cover via the following items:

☐ Shop drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications
☐ Copy of letter ☐ Change order ☐

COPIES	DATE	NO.	DESCRIPTION
3			SIGN VARIANCE PETITION
1			ZONING MAP W/ PROP. LOT
3			PROPERTY DESCRIPTION
12			PLAT TO RECONSTRUCT
1			CHECK NO 7545 FOR \$350.00

THERE ARE TRANSMITTED as checked below:

☐ For approval ☐ Approved as submitted ☐ Resubmit _____ copies for approval
☒ For your use ☐ Approved as noted ☐ Submit _____ copies for distribution
☐ As requested ☐ Returned for corrections ☐ Return _____ corrected prints
☐ For review and comment ☐

☐ FOR BIDS DUE _____ 19____ ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS:

COPY TO:

SIGNED:

David A. [Signature]

FORM 1004 (2/88) Rev. 10/88, Inc. 001

If enclosures are not so noted, kindly notify us at once.

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

ADDRESS

Charles Stewart

12605 Mt Laurel Ct.

Carolyn & Dennis Orr

Reisterstown MD 21136

28 Kingsley Rd. O.M. Md. 21117

Baxter Smith

Community Times

P.O. Box 346

Westminster Md. 21157

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

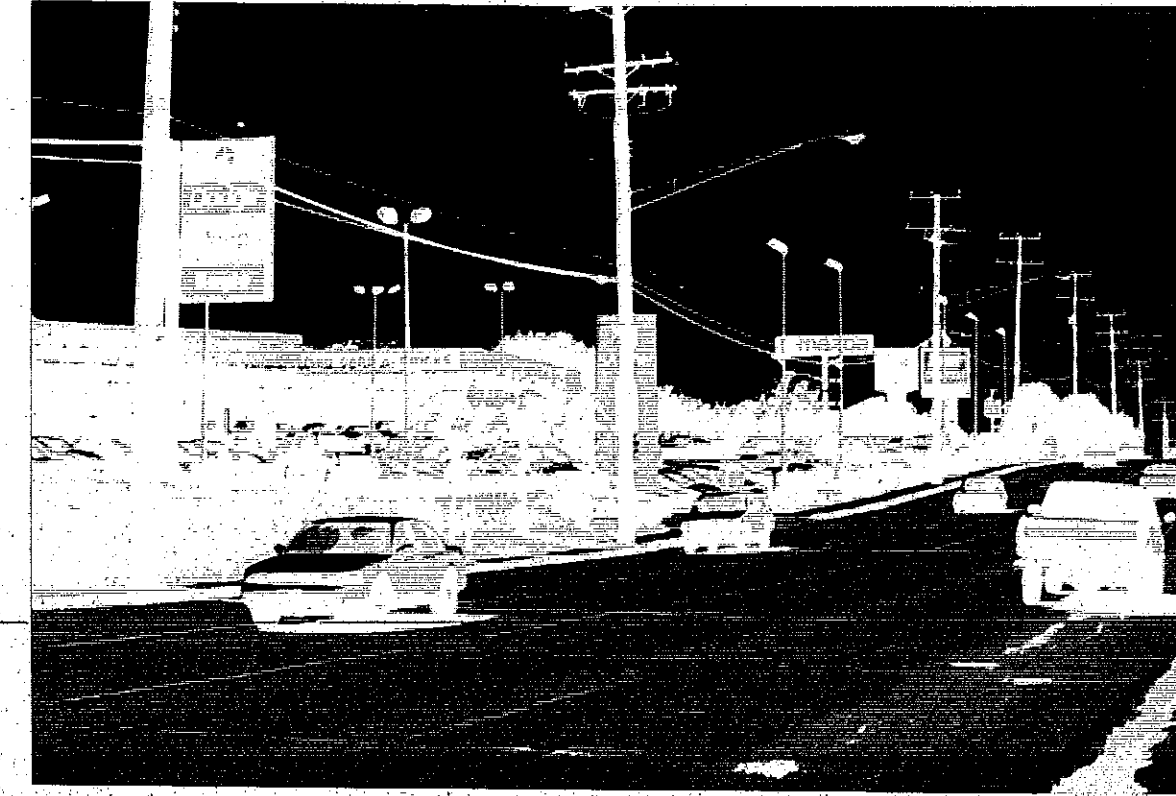
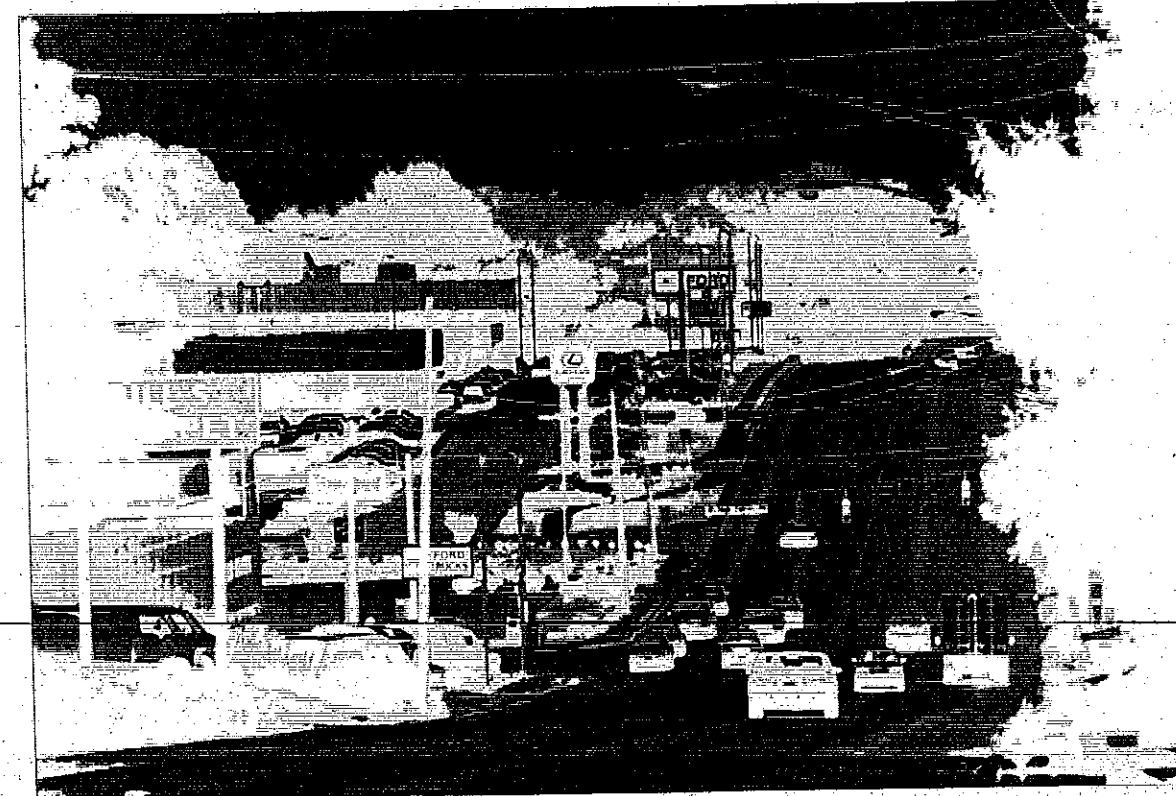
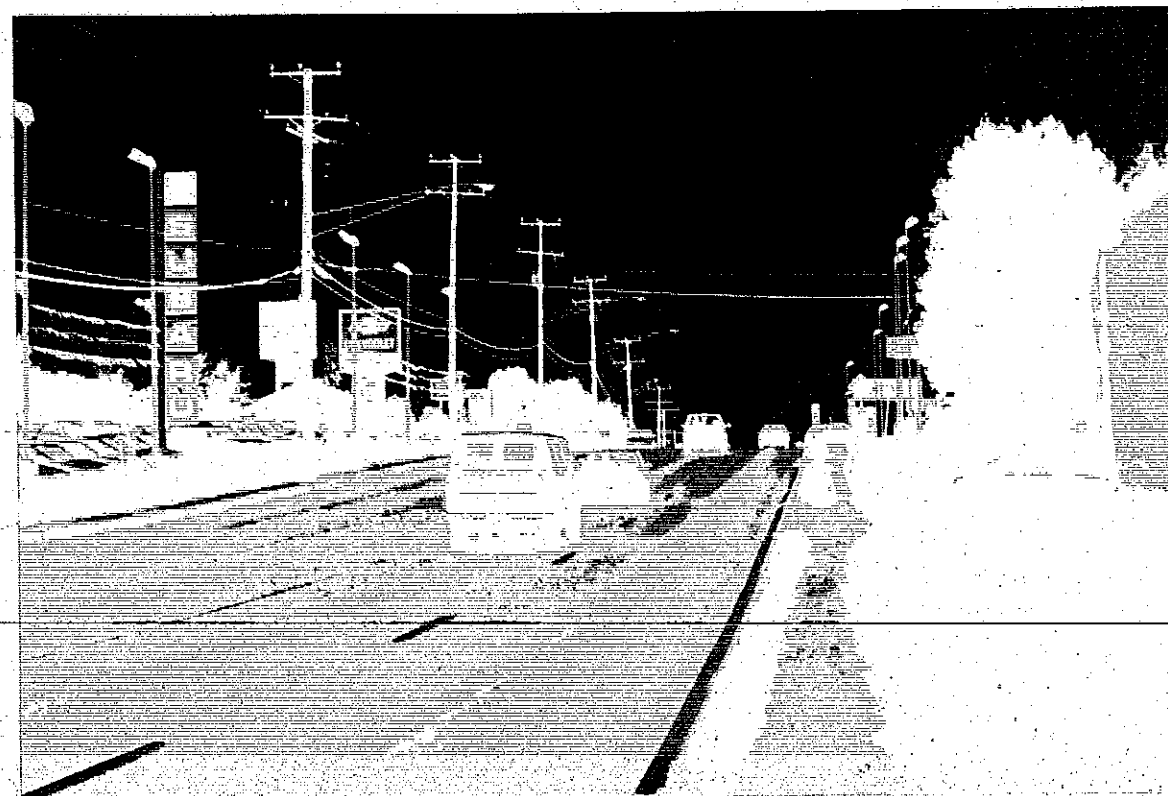
ADDRESS

MARVIN I. SINGER, ESQ.

DOUGLAS L. KENNEDY, P.E.

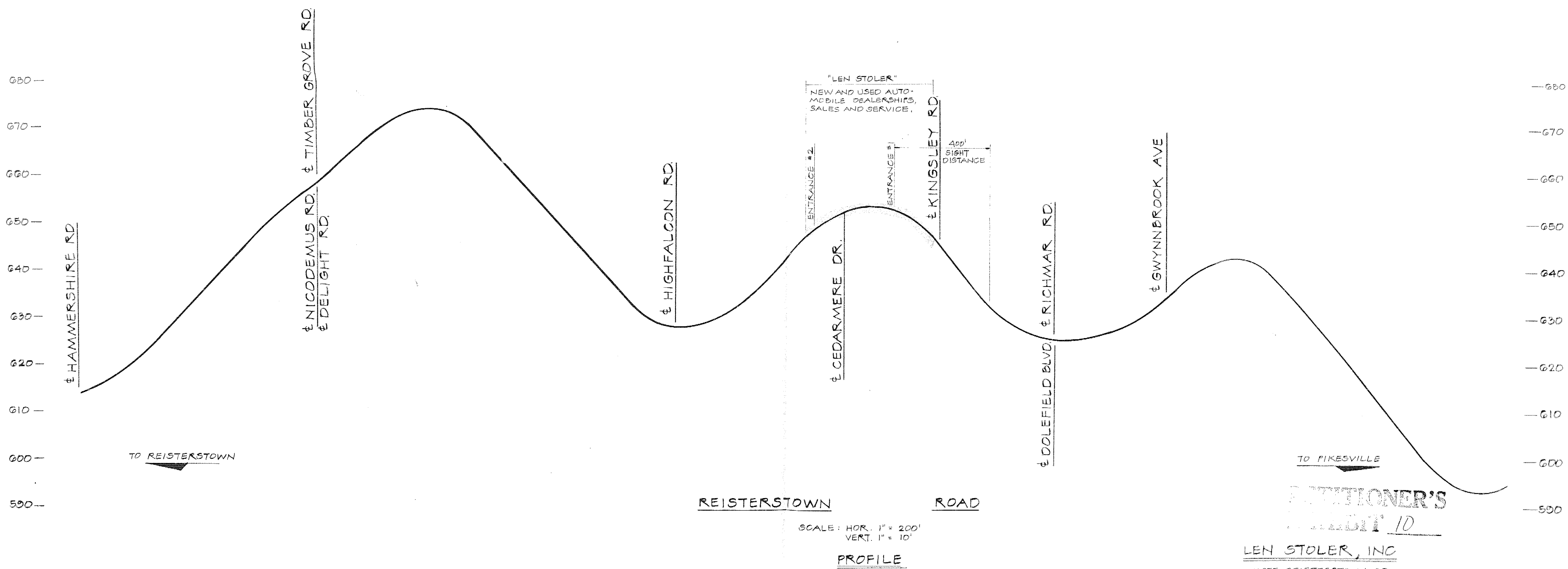
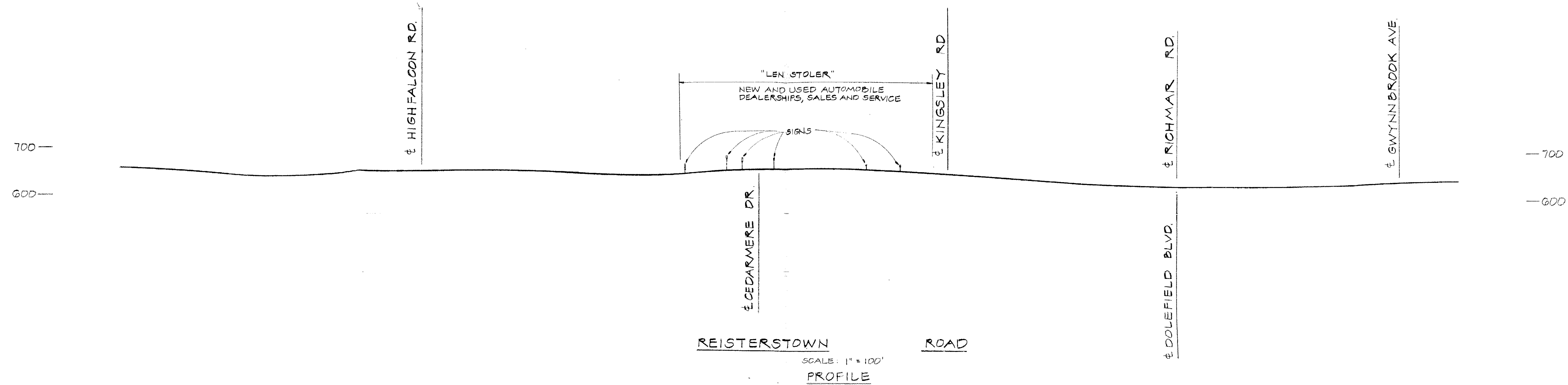
343 North Charles St. - 21201

KCW CONSULTANTS, INC.
3104 TIMANUS LANE, BALTO. 21244



Petitioner's
Exhibits 1-9
Photographs
Case 93-80-A



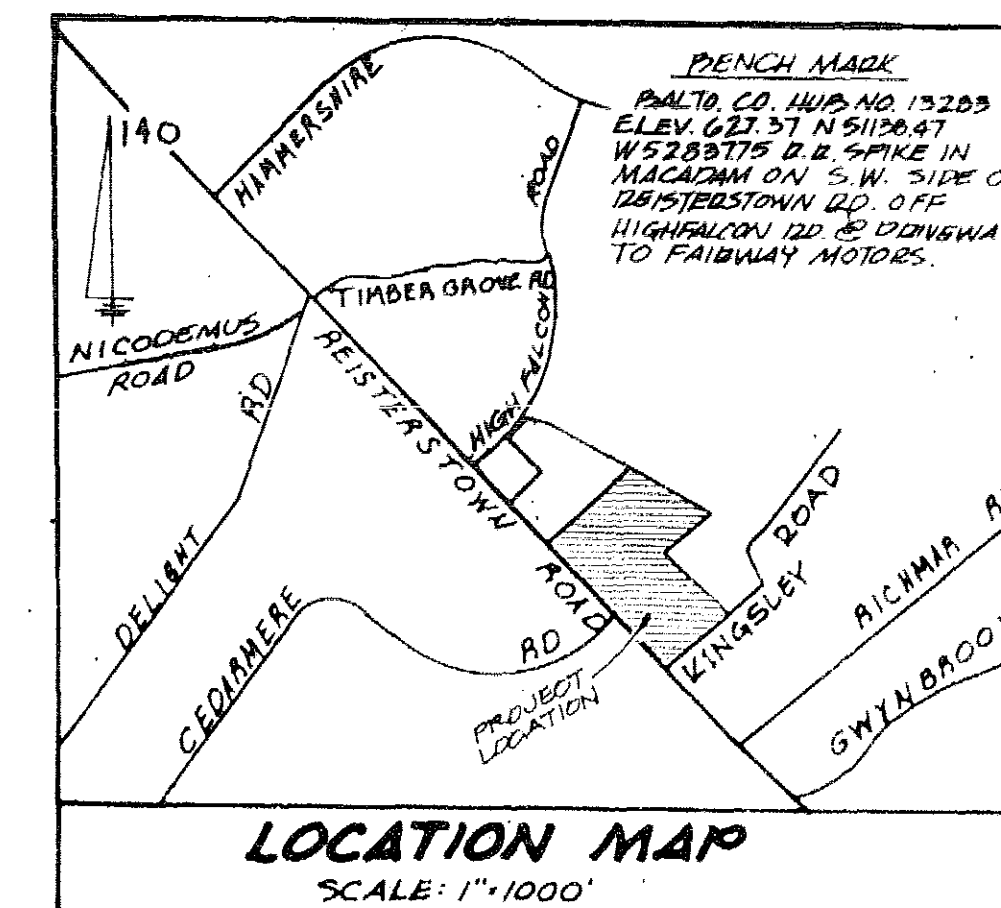


PREPARED BY
 LEN STOLER, INC.
 11275 REISTERSTOWN RD.
 4TH ELEC. DISTRICT BALTO. CO., MD.

PRINT DATE

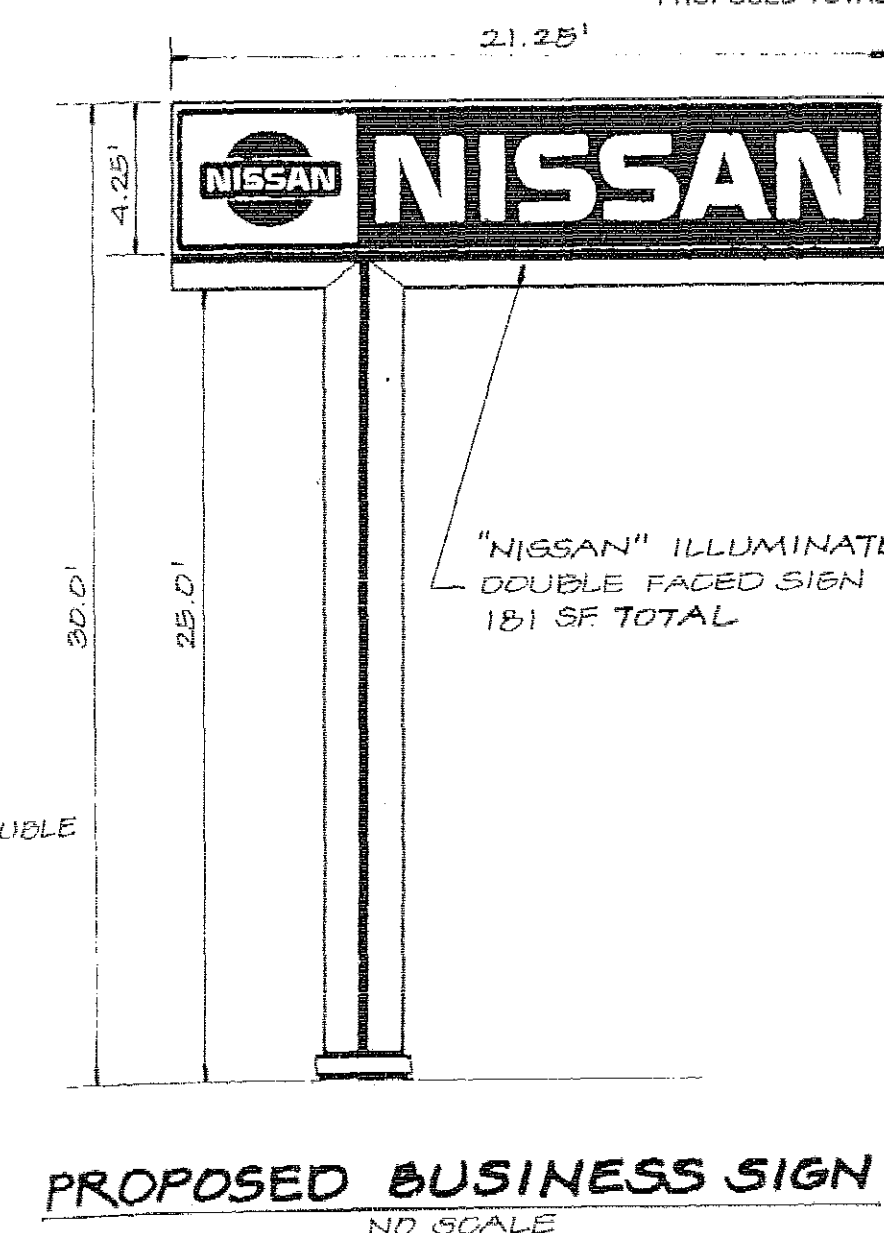
OCT 14 1992

K C W CONSULTANTS, INC.



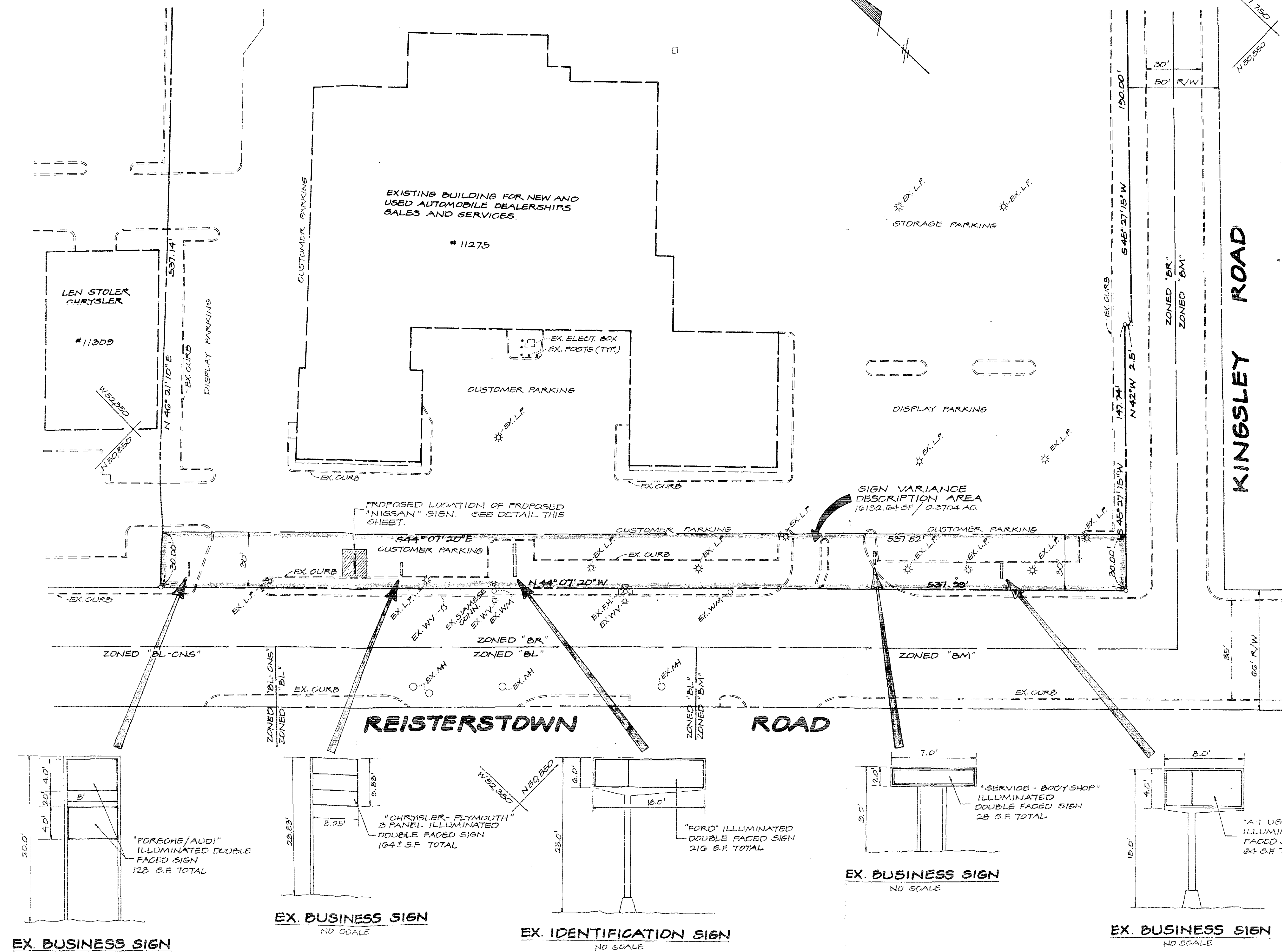
GENERAL NOTES

- PROPERTY OWNER:
LEN STOLER
DEED 5381-498 ACCT. #04-06-046200 A = 5.05 ac.±
DEED 5457-491 ACCT. #04-02-057100 A = 0.53 ac.±
DEED 5533-474 ACCT. #04-26-020200 A = 0.42 ac.±
DEED 7758-487 ACCT. #04-02-059030 A = 0.34 ac.±
KINGSLEY ROAD LIMITED PARTNERSHIP
DEED 7842-844 ACCT. #04-03-025420 A = 0.20 ac.±
DEED 7837-175 ACCT. #04-02-023010 A = 0.20 ac.±
DEED 7826-276 ACCT. #04-05-061075 A = 0.18 ac.±
- ELECTION DISTRICT:
COUNCILMANIC DISTRICT: C-3
CENSUS TRACT: 4042.01
REGIONAL PLANNING DISTRICT: 306B
WATERSHED: Gwynns Falls
SUBWERSHED: 67
ZONING: BR
PREVIOUS ZONING CASES:
NO. DESCRIPTION
1947 ZONING RECLASSIFICATION
68-264-R ZONING RECLASSIFICATION
78-182-RA ZONING RECLASSIFICATION
75-190-R ZONING RECLASSIFICATION
84-10-A GRANTED REQUEST ON 9-8-83 FOR 4 BUSINESS SIGNS IN LIEU OF PERMITTED 3 AND REQUEST TO ALLOW TOTAL SIGN AREA OF 176 S.F. INSTEAD OF THE PERMITTED 100 S.F.
66-169 GRANTED THE SEPARATION OF SINGLE OF PORSCHE/AUDI SIGN INTO SEPARATE PORSCHE AND SEPARATE AUDI SIGN.
- SIGNAGE:
EXISTING SIGNS AREA (TOTAL BOTH FACES)
PORSCHE AUDI 128 S.F.
CHRYSLER-PLYMOUTH 164 S.F.
FORD 216 S.F.
SERVICE-BODY SHOP 28 S.F.
A-1 USED CARS 64 S.F.
TOTAL EXISTING 600 S.F.
PROPOSED SIGN
NISSAN 181 S.F.
PROPOSED TOTAL 781 S.F.



PROPOSED BUSINESS SIGN
NO SCALE

PETITIONER'S
EXHIBIT 11



EX. BUSINESS SIGN
NO SCALE

EX. BUSINESS SIGN
NO SCALE

EX. IDENTIFICATION SIGN
NO SCALE

EX. BUSINESS SIGN
NO SCALE

EX. BUSINESS SIGN
NO SCALE

KCW Consultants, Inc.
Civil Engineers and Land Surveyors
3104 Timanus Lane
Suite 101
Baltimore, Maryland 21207
(410) 281-0033



VARIANCES REQUESTED:

- Section 413.2.f. - To permit (other Business Signs) rather than 2 as presently allowed, and to permit such signs in the aggregate to exceed the permitted size by an additional 10 square feet.
- Section 413.5.d. - To allow a sign height of 25 feet in lieu of the maximum of 25 feet.

OWNER/DEVELOPER:

LEN STOLER
11275 Reisterstown Road
Owings Mills, Maryland 21117
Attention: Len Stoler
Tele: 410-356-7000

REVISIONS

DATE	DESCRIPTION

PLAT TO ACCOMPANY PETITION FOR VARIANCE

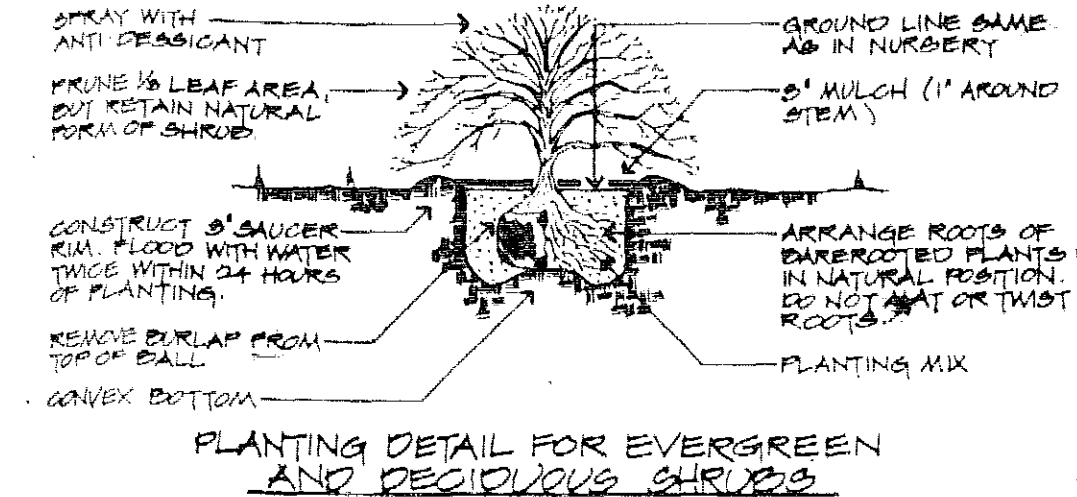
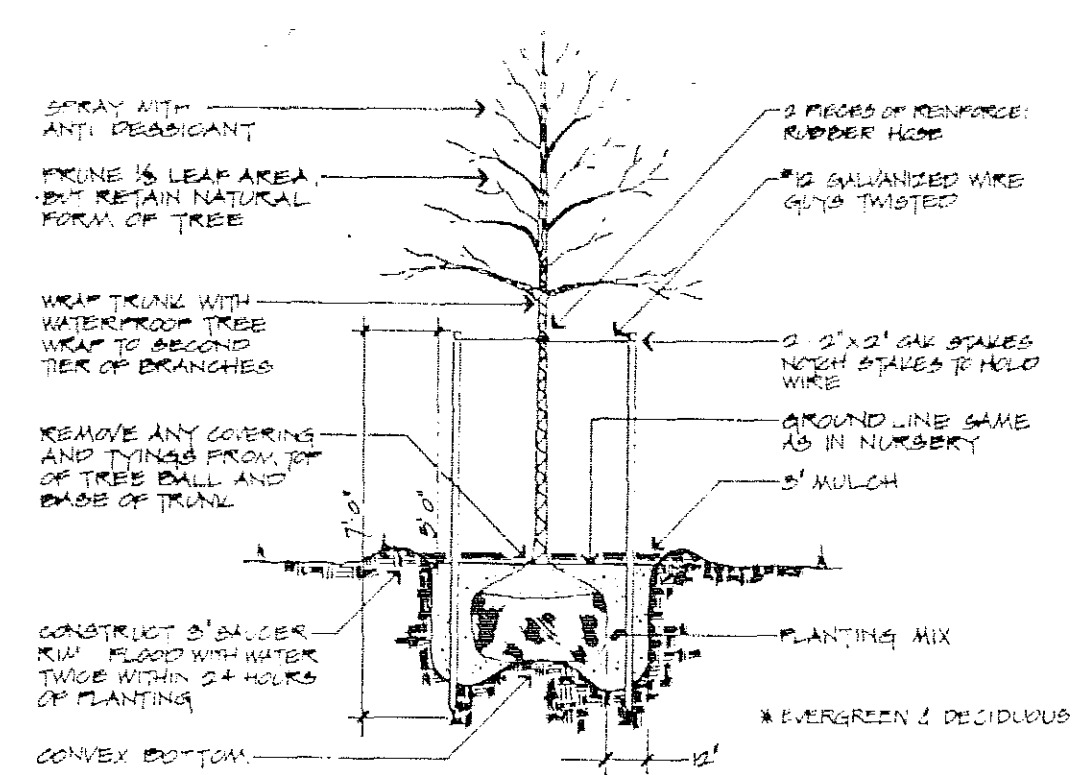
PROPERTY OF
LEN STOLER
11275 REISTERSTOWN ROAD
4th ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

SCALE: 1"=30'

AUGUST 7, 1992

SHEET 1 OF 1

KCW 08.235



KEY	QTY.	BOTANICAL NAME COMMON NAME	SIZE	COND.	REMARKS
⊙	37	Berberis thunbergii KIMBARK PINKY BARBERY	15-18"	CAN	SPACE 3'-3/4" O.C. STAGGER
⊙	133	Juniperus horizontalis TAMM'S JUNIPER	15-18"	CAN	SPACE 4'-0" O.C. STAGGER
⊕	20	Philus nudiflorus MUGO PHE	24-26"	CAN	SPACE 4'-0" O.C. STAGGER
⊕	3	Acer campestre HEDGE MAPLE	2-2 1/2"	CAN	SPACE 30'-0"

- NOTES:
- Contractor to notify Miss Utility a minimum of 72 hours prior to digging. Telephone: 1-800-257-7777
 - The Landscape Architect is to be notified 48 hours before planting begins. The location of all plant material is to be approved in the field by the Landscape Architect. *CHANCEY MILLER @ 825-3886*
 - This plan is to be used for planting only.
 - No tree or shrub planting pits are to be left open or unattended.
 - * THE EXISTING MUGO PHE'S ARE TO BE RELOCATED & THE REQUIRED QUANTITY REPLACED ACCORDINGLY.**

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
SIGNATURE AND CERTIFICATION BLOCK

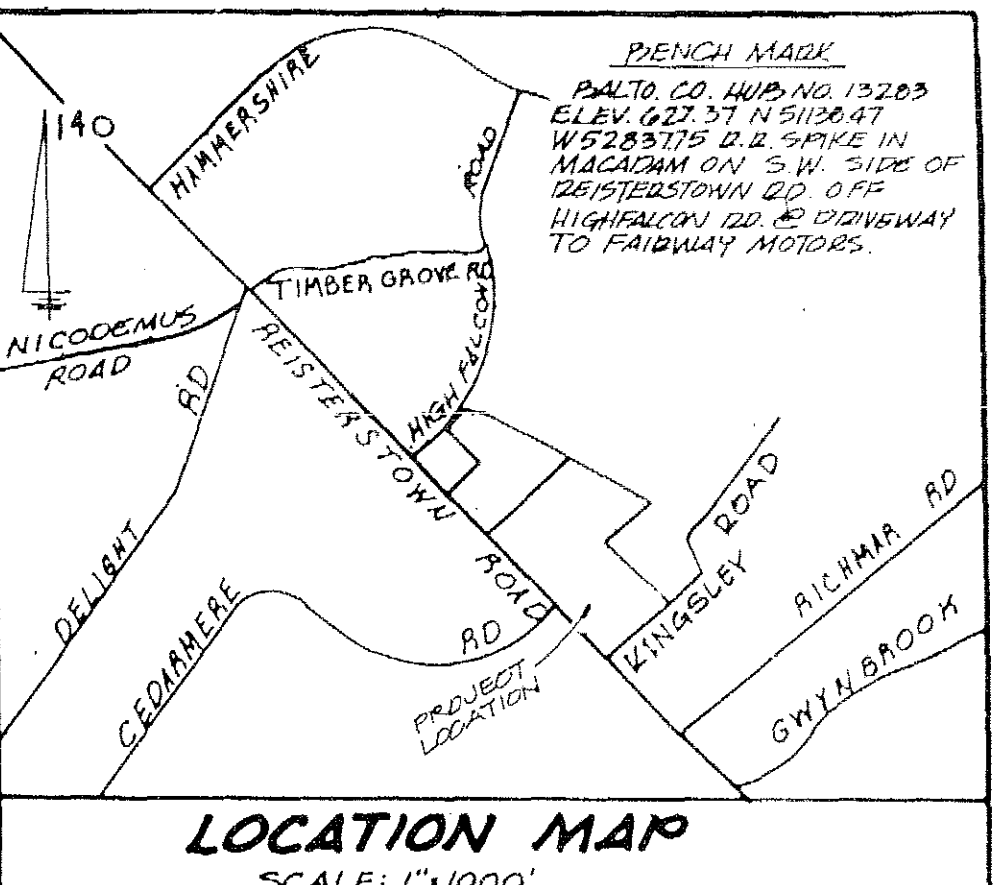
I certify that this Final Landscape Plan meets all requirements (check where appropriate):

☒ Baltimore County Landscape Manual
☒ Office of Planning Zoning Ord. or other applicable policy, regulations and ordinance. I agree to implement this plan in accordance with the Baltimore County Zoning Ordinance.

Signature: [Signature]
JOE E. PELLU
Landscape Architect
Address: [Address] City: [City] State: [State] Zip: [Zip]

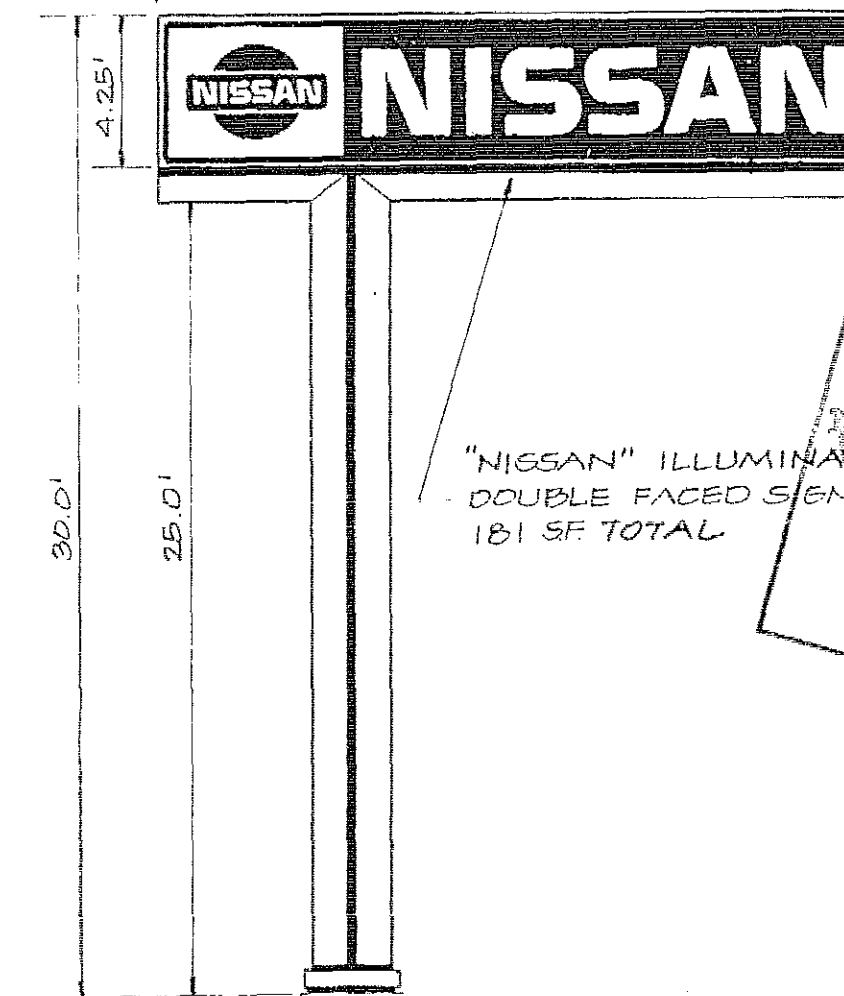
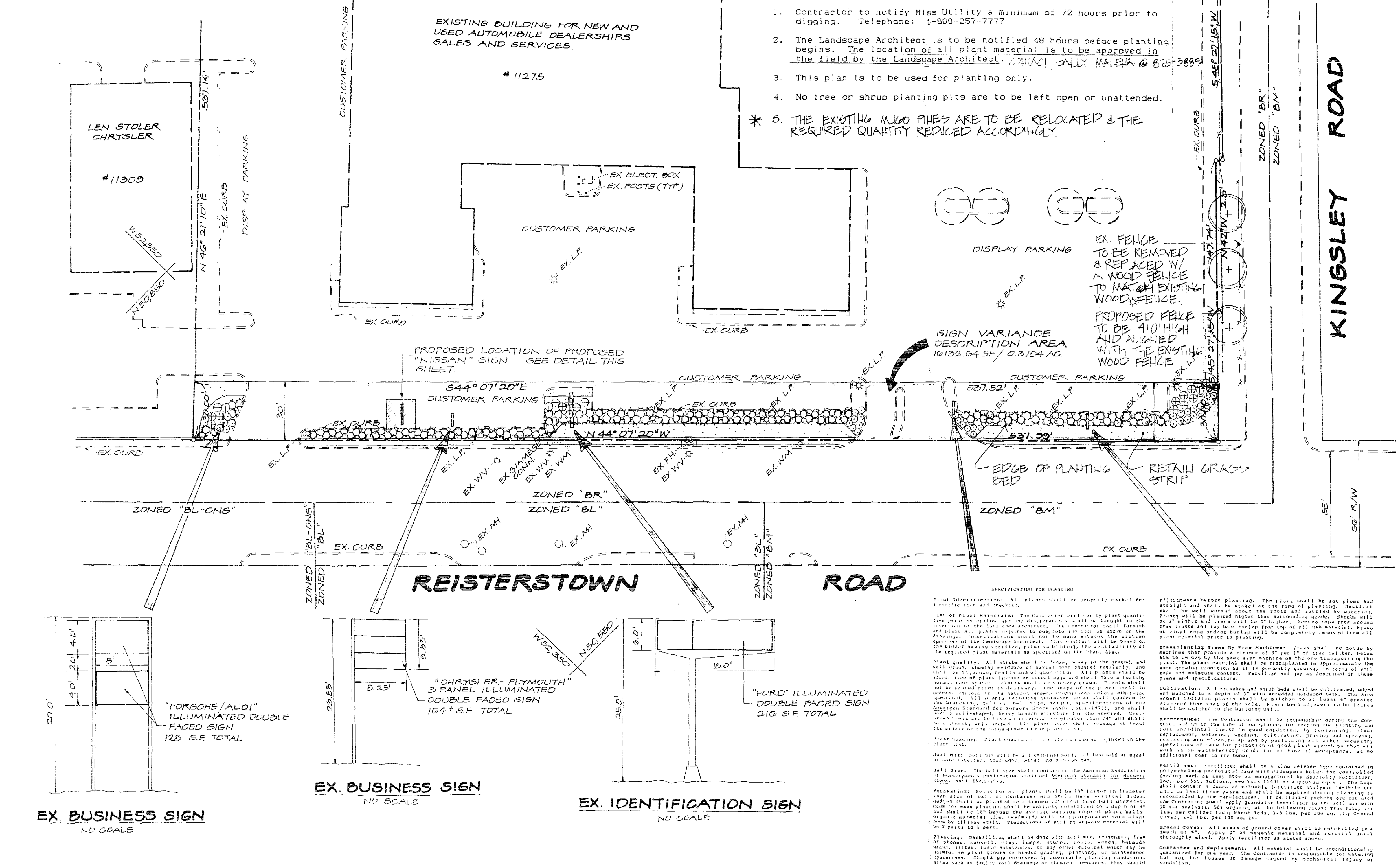
Signature: [Signature]
LEN STOLER
Owner's Signature
Address: [Address] City: [City] State: [State] Zip: [Zip]

DATE: **APRIL 2, 1992**



GENERAL NOTES

- PROPERTY OWNER:
LEN STOLER
DEED 5381-496 ACCT. #04-06-06200 A = 5.06 ac ±
DEED 5457-491 ACCT. #04-02-057100 A = 0.53 ac ±
DEED 5533-474 ACCT. #04-26-020200 A = 0.42 ac ±
DEED 7798-487 ACCT. #04-02-059030 A = 0.34 ac ±
KINGSLEY ROAD LIMITED PARTNERSHIP
DEED 7842-644 ACCT. #04-03-025420 A = 0.20 ac ±
DEED 7837-175 ACCT. #04-02-023010 A = 0.20 ac ±
DEED 7826-276 ACCT. #04-05-061075 A = 0.18 ac ±
- ELECTION DISTRICT:
COUNCILMANIC DISTRICT: C-3
CENSUS TRACT: 4042.01
REGIONAL PLANNING DISTRICT: 3068
WATERSHED: Gwynn's Falls
SUBWATERSHED: 67
ZONING: BR
PREVIOUS ZONING CASES: NO.
- DESCRIPTION:
1947 ZONING RECLASSIFICATION
68-264-R ZONING RECLASSIFICATION
78-182-R ZONING RECLASSIFICATION
75-190-R ZONING RECLASSIFICATION
84-10-A GRANTED REQUEST ON 8-8-83 FOR 4 BUSINESS SIGNS IN LIEU OF PERMITTED 3 AND REQUEST TO ALLOW TOTAL SIGN AREA OF 176 S.F. INSTEAD OF THE PERMITTED 100 S.F.
66-169 GRANTED THE SEPARATION OF SINGLE OF PORSCHE/AUDI SIGN INTO SEPARATE PORSCHE AND SEPARATE AUDI SIGN.
- SIGNAGE:
EXISTING SIGNS AREA (TOTAL, BOTH FACES)
PORSCHE AUDI 128 S.F.
CHRYSLER-PLYMOUTH 164 S.F.
FORD 216 S.F.
CRITERIA-BODY SHOP 26 S.F.
A-1 USED CARS 64 S.F.
TOTAL EXISTING 600 S.F.
PROPOSED SIGN NISSAN 181 S.F.
PROPOSED TOTAL 781 S.F.



PROPOSED BUSINESS SIGN
NO SCALE

BALTIMORE COUNTY
DEPT. OF PUBLIC WORKS
LANDSCAPE PLAN APPROVED
by *E. Chany*
date **2-12-93**

HUMAN & ROHDE, INC.
Landscape Architects
110 E. Pennsylvania Avenue
Towson, Maryland 21286
(410) 825-3885

KCW Consultants, Inc. Civil Engineers and Land Surveyors 3104 Timanus Lane Suite 101 Baltimore, Maryland 21207 (410) 281-0033		VARIANCES REQUESTED: 1) Section 413.2.f. - To permit 5 (other Business Signs) rather than 4 as presently allowed, and to permit such signs in the aggregate to exceed the permitted size by an additional 18 square feet. 2) Section 413.5.d. - To allow a sign height of 30 feet in lieu of the maximum of 25 feet.	OWNER/DEVELOPER: LEN STOLER 11275 Reisterstown Road Owings Mills, Maryland 21117 Attention: Len Stoler Tele: 410-356-7000	REVISIONS	PLAT TO ACCOMPANY PETITION FOR VARIANCE PROPERTY OF LEN STOLER 11275 REISTERSTOWN ROAD 4th ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND SCALE: 1"=30' AUGUST 7, 1992 SHEET 1 OF 1 <small>KCW 88-235</small>					
				<table border="1"> <tr> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </table>		DATE	DESCRIPTION			
DATE	DESCRIPTION									